

FREEHOLD BOROUGH PLANNING BOARD
MINUTES OF AUGUST 10, 2016

MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, August 10th at 7:00 p.m. in the Council Room of the Municipal Building.

Mr. Barricelli stated that this meeting was provided in accordance with the Open Public Meeting Act, by providing a copy of the agenda to the official newspaper and posting same on the official bulletin board of the Municipal Building.

Chairman Reich opened the meeting with a Salute to the Flag.

ROLL CALL

PRESENT	MR. WILLIAM BARRICELLI
PRESENT	MR. CORNELIUS BEGLEY
PRESENT	MS. JAMIE BENNETT
PRESENT	MS. MICHELE GIBSON
PRESENT	MR. GARRY JACKSON
PRESENT	MS. ANNETTE JORDAN
ABSENT	MR. ADAM REICH
PRESENT	COUNCILMAN GEORGE SCHNURR
ABSENT	MR. JEFF FRIEDMAN
PRESENT	MS. DANIELLE SIMS

Mr. Barricelli read Item 3 on the Agenda as follows:

Approval of Minutes from the meeting of July 27, 2016.

Mr. Begley made a motion to approve the minutes, Ms. Bennett seconded.

ROLL CALL

Yes	5	Barricelli, Begley, Bennett, Gibson, Jackson
No	0	
Abstain	3	Jordan, Schnurr, Sims
Disqualified	0	
Absent	2	Friedman, Reich

Mr. Barricelli read Item No. 4 on the Agenda as follows:

Resolution Approving Site Plan
Application Number PB-SP-2016-005
Applicant: Macedonia Freehold Church
Location: 163 Throckmorton Street
Request: Amend Site Plan.

Mr. Begley made a motion to approve the Resolution, seconded by Ms. Bennett.

ROLL CALL

Yes	5	Barricelli, Begley, Bennett, Gibson, Jackson
No	0	
Abstain	3	Jordan, Schnurr, Sims
Disqualified	0	
Absent	2	Friedman, Reich

Mr. Barricelli read Items No. 5 and 6 on the Agenda as follows:

Review of Freehold Borough Ordinance #2016/10 Amending Chapter 18 (Zoning), Section 73 (minimum Off-Street Parking Spaces), of the Revised General Ordinances of The Borough of Freehold, County of Monmouth, State of New Jersey.

Review of Freehold Borough Ordinance #2016/11 Amending Chapter 18.07 (Freehold Center Core Redevelopment Plan) and “Visioning and Revitalization Plan for the Freehold Center Core Redevelopment Plan Area”.

Mr. Joseph Bellina gave a brief background on the ordinance changes which are proposed to promote redevelopment of the Market Yard and downtown. Mr. Bellina reported the firm Maser Consulting, who originally assembled the Master Plan, was hired to suggest any needed amendments. Mr. Dave Roberts shared his recommendations with the Land Use Committee and the Governing Body. Mayor and Council introduced an ordinance to amend changes to the plan, based on Mr. Roberts report.

Mr. Dave Roberts, Maser Consulting reported the changes that are suggested are changes to clarify the existing ordinances. Mr. Roberts first met with the Zoning Officer who has to interpret the plan. The original plan, done in 2008, recognized there were a lot of properties in downtown area that have little parking or don't meet the parking requirements of the ordinance. That is why the Redevelopment Plan was focused on the Market Yard, County parking lots and public parking in the downtown area.

Mr. Roberts reported the Development Plan was not clear on the parking requirements if the use of a building changes. The Plan was changed to require businesses that existed at the time the ordinance was adopted, would have their number of parking spaces grandfathered. If any change, resulted in an increase in parking, they would have to make up the difference, not the entire amount. Mr. Roberts reported there are many underutilized parking lots, within walking distance of the core of the downtown. The goal is to have property owners arrange for parking outside of the Market Yard. This is what the American Hotel has done with their valet service. Mr. Roberts stated the plan recognized the category of retail stores, but did not account for stores of retail services such as hair and nail salons. The ordinance clarifies the one parking space per 200 sq. ft. covers either/or. It also recognizes the differences between a restaurant and a catering operation, which operates more as a place of assembly. Valet parking works well for catering operations. The differences were defined and separate parking requirements, one parking space per four seats were outlined. Securing parking was changed from a radius of 1,000 sq. ft. to 1,320 sq. ft (1/4 mile). Any off-site parking needs to be secured by a long term lease and be filed with the Zoning Officer.

Mr. Roberts recapped the changes to the ordinance to be: Grandfathering, Off-Site Parking, refining the differences between some of the uses and clarified more than one principal use is permitted on the same property. He explained these are refinements to the Master Plan in response to what is actually being experienced as the downtown area evolves and revitalizes. He determined there are no conflicts with the Master Plan and stated the biggest goal is to allow the downtown to continue to grow economically. Mr. Roberts reported the Master Plan was done to get the most out of the parking spaces available. The supply is there if available parking spaces are used in the best way. If a business is short 10 or more spaces, even with the changes to the ordinance and additional parking options, the ordinance retains the requirement that the Plan would have to be amended.

Mr. Bellina relayed a story of a grocery store that wanted to open in the Market Yard. These changes would have helped that business. It will help any small business.

Mr. Roberts stated the hope is the problems will solve themselves. It forces property owners to communicate and work together. If there is property whose parking isn't being fully utilized, it gives the property owner the option to lease it to another business and make revenue.

Ms. Sims asked if there were any considerations for the owners or employees to use spaces further away from the business and leaving immediate parking for the patrons.

Mr. Roberts stated the business could assign outlying spaces to employees, which would be good business. It is a decision of management and not something that would be written into the ordinance. If there was an application before the Planning Board for Site Plan Review, that could be a condition of the Site Plan approval.

Councilman Schnurr reported the Land Use Committee was looking at a Valet Parking Ordinance and may tie employee parking into the Parking Ordinance.

Ms. Jordan asked if there are any changes to the handicap parking spaces.

Mr. Roberts reported handicap parking is governed by code. If site plan approval is needed, the engineer would ensure proper spaces are allotted.

Mr. Begley asked for clarification on existing businesses. These ordinance changes take effect only if the business changes.

Mr. Roberts responded that is correct. It monitors uses from one use to the next as tenants move in and out of buildings. If a property owner wanted to increase their square footage that would trigger new parking requirements. This gives them an opportunity to expand and not be held by the previous parking constraints.

Mr. Barricelli asked if 80 transient rental rooms or 10 parking spaces was a standard configuration.

Mr. Roberts stated the 10 spaces were added by the Borough. That was considered significant enough where variances would not need to be granted. The 80 number comes from the Hotel Multiple Dwelling Code.

Mr. Bellina added that was previously in the ordinance.

Mr. Roberts reported even if one line of the ordinance was changed, the entire provision was repeated. He gave the example of List of Permitted Uses, printing and graphics was added, everything else listed was already in the ordinance.

Mr. Begley asked who is responsible for signage. If a business will be using another lot, does anyone have to provide signage designating the spaces to that business?

Mr. Roberts stated the code does not get into parking space signage. Traditionally, the actual parking space would have a sign marking its use. It could be residents only, for a business between certain hours or for use of a particular business. Mr. Roberts stated way finding signs would be used to direct customers where the parking is. The property owner could direct their customers privately and not get a permit for a sign.

Mr. Begley asked if businesses are required to inform customers where their parking spaces are.

Councilman Schnurr responded a lot is being built on Hudson Street to satisfy the requirement of the new catering hall. The owner will include the parking instructions in their mailings and invitations for their events and have valet parking available. Councilman Schnurr added the proposed valet ordinance and signage will be reviewed with Freehold Center Partnership.

Mr. Roberts stated the partnership could take care of the signage.

Ms. Sims asked if Section 3.03.03, B3 is being amended.

Mr. Roberts stated it is all existing language except for the fourth line which includes the addition of printing and graphics stores.

Ms. Sims asked if the wording “stores devoted entirely to retail sales and services” does not include multiple function stores such as Buy N Sell. She asked if these types of stores are addressed.

Mr. Roberts responded this is not an exclusive list because of the addition of the words “such as”. Retail sales and service would include any store that sells items or provides a service. A borderline use will be determined by the Zoning Officer. If it is ruled not permitted, the applicant would appeal the decision or seek a use variance.

Ms. Bennett asked if under-utilized lots previously referenced are being used for auxiliary parking, would that impede the ability to qualify that vicinity as an area that needs redevelopment in the future.

Mr. Roberts did not think so. The property may have multiple uses, but no buildings being built, so the property is not having a substantial improvement. The lease holder has legal rights to the area. If redevelopment was to take place in the future, the parking would have to be replaced elsewhere and incorporated in the redevelopment project. Mr. Roberts acknowledged there is a parking issue in Freehold. He stated in the future a parking deck may have to go into the Market Yard or between the county buildings. At this point there is not enough critical mass to afford it.

Ms. Bennett asked if lease agreements are recorded.

Mr. Roberts said that could be a recommendation to the governing body so the lease can be enforceable. Mr. Roberts relayed his experience in Asbury Park and how a system was created to manage the information by block and lot. Files were created as applications were received and then referred to as needed. He was able to monitor the properties going forward.

Mr. Barricelli asked about a parking authority.

Mr. Roberts stated a parking authority has other financing mechanisms that can be used such as bonding. He stated Freehold doesn't currently charge for parking. As parking becomes in higher demand, a parking authority could charge for parking.

Mr. Bellina stated a grant was received from the North Jersey Transportation Command Authority to hire a consultant to study the downtown parking.

Ms. Sims asked if this has any effect on the parking waiver fee.

Mr. Bellina responded there were some fees collected. If a business can't provide additional parking, they pay the municipality for the number of spaces over 10 required. These are the 10 spaces noted in the Ordinance.

Mr. Begley questioned what would prevent a property owner from renting his property to multiple businesses for auxiliary parking.

Mr. Roberts replied the lease should make it exclusive and the Zoning Officer would keep a record so the same parking area cannot be leased to multiple businesses. Multiple leases can be designated for restricted hours such as one lease for weekdays and one lease for weekends. The times could not overlap. Mr. Roberts explained the ordinance states the parking spaces need to be available through a long-term instrument. The terms of the long-term instrument such as a lease, would be tied to the use or hours of operation. Mr. Roberts stated the goal is maximize utilization of every single parking space possible.

Mr. Begley stated any wording that could be added, should be added now before any problems arise.

Councilman Schnurr agreed it was a good idea to add the hours of operation into the ordinance.

Mr. Roberts stated by adding "determines the parking is available when the use is in operation" would make it clear. It can be easily be added to the ordinance. He stated the points to be brought back to the governing body are recording the leases and times a business is in operation.

Ms. Bennett asked for confirmation on Page 3, #11.

Mr. Roberts stated #11 permits houses of worship in the downtown as a freestanding building as opposed to a store front. This wording was existing and nothing was changed.

Mr. Miller stated the recommendations can be made in the resolution once the ordinance is approved. Under the statute, the board is permitted to make any recommendations it sees fit. In making its determination that the ordinance is consistent with the Master Plan, the board also has the authority to make any recommendations.

Mr. Miller instructed the board a vote is needed to determine that each ordinance substantially complies with the Master Plan. The ordinance was introduced at the last meeting of the governing body. Per the statute, the Planning Board's job is to review the ordinance and discuss in public. The ordinance will go back to the governing body for a second reading and public hearing. He explained the resolutions that will go back to the governing body will state if the ordinance is or is not consistent with the Master Plan. A vote needs to be held for each ordinance.

Ms. Sims made a motion to accept Ordinance #2016/10 as consistent with the Mater Plan with the recommendations, seconded by Ms. Jordan.

ROLL CALL

Yes	8	Barricelli, Begley, Bennett, Gibson, Jackson, Jordan, Schnurr, Sims
No	0	
Abstain	0	
Disqualified	0	
Absent	2	Friedman, Reich

Ms. Sims made a motion to accept Ordinance #2016/11 as consistent with the Master Plan, seconded by Ms. Gibson.

ROLL CALL

Yes	8	Barricelli, Begley, Bennett, Gibson, Jackson, Jordan, Schnurr, Sims
No	0	
Abstain	0	
Disqualified	0	
Absent	2	Friedman, Reich

Councilman Schnurr asked if the ordinance would have to be reintroduced at the next council meeting due to the recommended changes.

Mr. Miller stated the governing body reviews the recommendations and has the option to disregard them. If the recommendations are accepted, the municipal attorney would have to decide if changes are minor enough another first reading is not necessary.

Mr. Begley made a motion to adjourn, seconded by Ms. Sims.

All in favor. Friedman and Reich absent.

Meeting adjourned at 8:06 PM.

Respectfully submitted,

Lynn Cannon